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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,761	12/12/2000	Allen B. Gruber	0001.US00	4312

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EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/740,761

Applicant(s)

GRUBER ET AL.

Examiner

Siegfried E. Chencinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**1. Claims 1-6, 8-33 and 35-43 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Costin IV et al. (US PreGrant Publication 2002/0049816 A1) in view of Arnold et al. (US Patent 6,460,072), and further in view of Torres (US PreGrant Publication 2002/0004757 A1).

**Re. Claims 1, 20, 39, 42 & 43,** Costin IV et al. disclose a method, system and computer program for on-line, interactive fundraising for an organization over a wide area network ([0008, ll. 12-14]), comprising the steps of:

- hosting the organization's website including a plurality of hyperlinked web pages (Hosting - Abstract; [0006, l. 8]; hyperlinked web pages – ([0009, l. 3]);
- displaying one or more web pages ([0009, l. 3]);
- providing one or more donation and payment web pages ([0009, ll. 3, 8]).

Costin IV et al. do not explicitly disclose

- honoring donors;
- updating virtual plaques on the web pages with virtual plaque when a donation is made.

However, Arnold et al. disclose displaying one or more web pages with virtual displays or pages (Abstract, l. 1; Col. 7, ll. 37-41, 64-66). Virtual plaques are just another form of a web page image display.

And, Torres et al. discloses

- honoring people, in this case loved ones ([0003, l. 10]); and

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- updating web page related information and databases ([0042, l. 6]; [0103, l. 2]).

It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the art of Costin IV et al. with the art of Arnold, and Torres for the purpose of providing an efficient, content-rich and flexible method for establishing a web site for collecting charitable donations.

**Re. Claims 2 & 21,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, further comprising the step of e-mailing the updated virtual plaques to potential donors, thereby spreading the message regarding the cause and increasing the likelihood of contribution from additional donors (Abstract; [0007], [0010 – The sending of virtual plaques is obviously included in this teaching per ll. 9-16]).

**Re. Claims 3 & 30,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the virtual plaque is a static virtual plaque (Inherently capable in an operating system such as Windows).

**Re. Claims 4 & 31,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the virtual plaque is a scrolling virtual plaque (Scrolling is an inherent capability available in an operating system such as Windows).

**Re. Claims 5 & 22,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the wide-area network is the Internet ([0008, ll. 12-14]).

**Re. Claims 6 & 29,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, further comprising the step of editing and modifying the virtual plaque (Modifying is an inherent capability available in an operating system such as Windows).

**Re. Claims 8 & 32,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, further comprising the step of creating a personalized donation page for a donor ([0010, l. 3]).

**Re. Claims 9 & 41,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 39, further comprising the step of e-mailing a report to a donor ([0010]).

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**Re. Claims 10 & 23,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, 39, 42 & 43, further comprising the step of providing promotional information about the organization and the fundraising cause on the website ([0008, ll. 10-11; 0009, ll. 5-9]).

**Re. Claims 11 & 24,** Costin IV et al. disclose a method, system and computer program comprising the step of including information about the donor and the contribution on a personalized campaign page ([0010]). Also, Arnold discloses the display of virtual images of any kind, which includes virtual plaques (Abstract, l. 1; Col. 7, ll. 37-41, 64-66). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to have used the teaching of Costin IV et al. to include information about the donor on a virtual plaque to further promote giving to the targeted beneficiary by further ingratiating the beneficiary organization or project with the donor by publicizing the donor's donation.

**Re. Claims 12 & 25,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the payment option includes payment by credit card ([0010, l. 12]).

**Re. Claims 13,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, wherein the payment option includes payment by mail ([0063-l. 20]; [0073-l.7]).

**Re. Claims 14 & 26,** Torres et al. disclose a payment option which includes payment in two or more installments ([0110-l. 3]). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to have combined the disclosure of Costin IV et al. and Arnold with those of Torres et al. to make payments more convenient for those donors who prefer to or need to make installment payments to donate the amount they choose to donate, thus expanding the reach of the fundraising campaign.

**Re. Claims 15 & 27,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the organization is a charitable organization ([0002 – l. 2]).

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**Re. Claims 16 & 35,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the organization is a political campaign ([0003]). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to use the disclosure of Costin IV et al.'s cause marketing principles and the example of the successful fundraising for Senator McCain's political campaign to apply it to the fundraising campaign of a political action committee (PAC).

**Re. Claims 17 & 36,** Costin IV et al. disclose a method, system and computer program as recited in claims 1, 20, wherein the organization is a political campaign ([0003]). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to use the disclosure of Costin IV et al.'s cause marketing principles and the example of the successful fundraising for Senator McCain's political campaign to apply it to the fundraising campaign of a political organization.

**Re. Claims 18 & 37,** Arnold et al. disclose the display of virtual images of any kind, (Abstract, I. 1; Col. 7, II. 37-41, 64-66). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to have combined the disclosure of Costin IV et al. and Torres et al. with those of Arnold et al. in order to provide an efficient, easily maintained, and flexible method and system for establishing a computer-based relationship between a content-rich site which displays a book and a fundraising campaign, thus expanding the reach of the fundraising campaign.

**Re. Claims 19 & 38,** Arnold discloses the display of virtual images of any kind, (Abstract, I. 1; Col. 7, II. 37-41, 64-66). It would have been obvious to an ordinary practitioner at the time of Applicant's invention to have combined the disclosure of Costin IV et al. and Torres et al. with those of Arnold et al. in order to provide an efficient, easily maintained, and flexible method and system for establishing a computer-based relationship between a content-rich site which displays art work and a fundraising campaign, thus expanding the reach of the fundraising campaign.

**Re. Claims 28,** Costin IV et al. and Torres et al. disclose a system as recited in claim 20, wherein the recipient of the virtual plaques may make donations, receive new personalized campaign pages, and re-forward the new personalized campaign pages to others. Costin IV et al. and Torres et al. do not explicitly disclose personal placques.

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However, Arnold discloses the display of virtual images of any kind, (Abstract, l. 1; Col. 7, ll. 37-41, 64-66). It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the teaching of Costin IV et al. and Torres et al. with that of Arnold to arrange for the recipient of virtual plaques to receive new virtual plaques and re-forward the new virtual plaques to others to further promote giving to the targeted charity by further ingratiating the charity with the donor through to use content-rich images for publicizing the donor's donations.

**Re. Claims 33**, Arnold discloses the display of virtual images of any kind, (Abstract, l. 1; Col. 7, ll. 37-41, 64-66). Also, locating a virtual plaque or image such as a virtual plaque on the personalized donation page is an inherent capability available from an operating system such as Microsoft Windows. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the teaching of Costin IV et al. and Torres et al. with that of Arnold to locate a virtual plaque on the personalized donation page of claim 32 for the purpose of further benefiting the fund raising drive with the efficient, easily maintained, and flexible method for establishing a computer-based relationship between a content-rich site.

**Re. Claims 40**, Costin IV et al., Arnold et al. and Torres et al. disclose a system as recited in claim 39, further comprising a means for editing the virtual plaques (Editing of the virtual images such as virtual plaques is an inherent capability available offered by an operating system such as Microsoft Windows).

**2. Claims 7 & 34 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Costin IV et al. (US PreGrant Publication 2002/0049816 A1) in view of Arnold et al. (US Patent 6,460,072) and Torres, and further in view of Froseth (US PreGrant Publication 2002/0004749 A1).

**Re. Claims 7 & 34**, Costin IV et al., Arnold and Torres do not explicitly disclose a method and system as recited in claim 1, further comprising the step of broadcasting the virtual plaque on television. However, Froseth discloses a method and system comprising the step of broadcasting the virtual plaque on television ([0086, l. 23). It would have been obvious to an ordinary practitioner of the art at the time of Applicant's

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invention to have combined the art of Costin IV et al., Arnold, and Torres with the art of Froseth for the purpose of providing a system and method of promoting charitable contributions which makes use of varied media for reaching potential donors to lead prospects to a web site for collecting charitable donations.

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 703-305-6199. The Examiner can normally be reached Monday through Friday, 9am to 6pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on 703-308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks Washington D.C. 20231*

or faxed to:


(703)872-9306 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-9601 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2411 Crystal Drive, Arlington, VA, 7th floor receptionist.

SEC

March 18, 2004

  
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